



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of
Richard HERTZOG et al.

Application No: 08/601,879

Filed: February 15, 1996

For: DECOMPOSITION OF CUMENE OXIDATION PRODUCT

Group Art Unit: 1205

Examiner: J. Reamer

SUPPLEMENT TO PRELIMINARY AMENDMENT

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

In supplement to the Preliminary Amendment, mailed May 2, 1996, enclosed herewith is a Declaration under 37 CFR 1.132 by Dr. Stylianos Sifniades.

The enclosed Rule 132 Declaration includes a number of the arguments made in the previous Preliminary Amendment, but raises the level of such arguments to that of an expert opinion, rather than an attorney argument. The enclosed Rule 132 Declaration also includes new arguments to further establish the nonobviousness of presently claimed subject matter.

For the reasons given in the Official Action, mailed November 21, 1995, made final, in parent application Serial No. 08/333,929, claims 1, 2, and 7-25 were rejected under 35 U.S.C. 103 over the disclosure of the Sifniades et al U.S. Patent No. 4,358,618 in combination with the disclosure of the Anderson et al U.S. Patent No. 4,207,264 and the disclosure of the Barilli British Patent No. 1,202,687. The enclosed Rule 132 Declaration rebuts the rejection of claims 1, 2, 7 and 8 by pointing out particularly novel and

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nonobvious features of these claims.

Paragraphs 1-6 of the enclosed Declaration establish that Dr. Sifniades the foremost expert in the field of the present invention.

Paragraphs 7-16 of the enclosed Declaration point out reasons why it is not obvious to combine features from the patents applied against the claims in order arrive at a claimed embodiment.

Paragraphs 17-21 of the enclosed Declaration particularly rebut reasons for sustaining a rejection of this subject matter given in a decision (Paper No. 16), mailed March 18, 1992, by the Board of Patent Appeals and Interferences in grandparent application Serial No. 08/297,333.

Paragraph 22 of the enclosed Declaration elaborates on the nonobvious effect of acetone addition on reactor stability.

Paragraph 23 of the enclosed Declaration points out the irrelevance of the Barilli patent in view of the low phenol yields shown therein.

Allowance is requested.

MPEP 713.02 provides that an interview may be had in a continuing application prior to the first Office Action. Such an interview is requested.


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The Examiner is invited to contact the undersigned at his Washington telephone number to schedule such an interview and to ask any questions which might arise.

Respectfully submitted,


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Date: June 13, 1996